

**Express Mail No. 923 483 385 US**

<b>PRELIMINARY AMENDMENT UNDER C.F.R. 1.115</b>  Address to: Commissioner for Patents Washington, D.C. 20231	Attorney Docket	23001480CON
	First Named Inventor	Lewis T. Williams
	Application Number	unassigned
	Filing Date	Herewith (February 15, 2002)
	Group Art Unit Conf. No.	Unassigned
	Examiner Name	Unassigned
	Title	Novel Human Genes and Gene Expression Products I

Sir:

This is a preliminary amendment to the patent application identified above. Prior to examination of the subject application, please enter the following amendment to the specification and claims:

**IN THE SPECIFICATION**

On page 1, please amend the paragraph starting on line 3 entitled Cross-References to Related Applications to read:

This application is a continuation of U.S. utility patent application serial no. 09/217,471, filed December 21, 1998 which application claims the benefit of: U.S. provisional patent application serial no. 60/068,755, filed December 23, 1997; of U.S. provisional patent application serial no. 60/080,664, filed April 3, 1998; and of U.S. provisional patent application serial no. 60/105,234, filed October 21, 1998; each of which applications are incorporated herein by reference.

**IN THE CLAIMS**

Please cancel claims 1-22.

Please add new claims 23-51, as shown below.

23. (New) An isolated polynucleotide comprising at least 15 contiguous nucleotides of a nucleotide sequence having at least 90% sequence identity to a sequence selected from the group consisting of: SEQ ID NO:68 and the complement of SEQ ID NO:68.

24. (New) The isolated polynucleotide of claim 23, wherein the isolated polynucleotide comprises at least 50 contiguous nucleotides of a nucleotide sequence having at least 90% sequence identity.

25. (New) The isolated polynucleotide of claim 23, wherein the isolated polynucleotide comprises at least 100 contiguous nucleotides of a nucleotide sequence having at least 90% sequence identity.

26. (New) The isolated polynucleotide of claim 23, wherein the isolated polynucleotide comprises at least 200 contiguous nucleotides of a nucleotide sequence having at least 90% sequence identity.

27. (New) The isolated polynucleotide of claim 26, wherein the isolated polynucleotide is an allelic variant.

28. (New) The isolated polynucleotide of claim 23, wherein the isolated polynucleotide comprises at least 50 contiguous nucleotides of a nucleotide sequence selected from the group consisting of: SEQ ID NO:68 and the complement of SEQ ID NO:68.

29. (New) The isolated polynucleotide of claim 28, wherein the isolated polynucleotide comprises at least 100 contiguous nucleotides.

30. (New) The isolated polynucleotide of claim 28, wherein the isolated polynucleotide comprises at least 200 contiguous nucleotides.
31. (New) The isolated polynucleotide of claim 28 wherein the isolated polynucleotide comprises a sequence selected from the group consisting of: SEQ ID NO:68 and the complement of SEQ ID NO:68.
32. (New) The isolated polynucleotide of claim 23, wherein the isolated polynucleotide is mammalian.
33. (New) The isolated polynucleotide of claim 32, wherein the isolated polynucleotide is human.
34. (New) An isolated polynucleotide comprising at least 100 contiguous nucleotides of a nucleotide sequence having at least 70% sequence identity to a sequence selected from the group consisting of: SEQ ID NO:68 and the complement of SEQ ID NO:68.
35. (New) The isolated polynucleotide of claim 34, wherein the isolated polynucleotide comprises at least 200 contiguous nucleotides of a nucleotide sequence having at least 70% sequence identity.
36. (New) The isolated polynucleotide according to claim 23, wherein the polynucleotide is a cDNA.
37. (New) The isolated polynucleotide according to claim 36 wherein the cDNA is less than 2.0 kb in length.
38. (New) An isolated polynucleotide which hybridizes under conditions of high stringency to a polynucleotide sequence of claim 23.
39. (New) An isolated recombinant host cell comprising a polynucleotide of claim 23.

40. (New) An isolated vector comprising a polynucleotide of claim 23.
41. (New) A library of polynucleotides, wherein at least one of the polynucleotides of the library comprises the sequence information of a polynucleotide of claim 23.
42. (New) A polynucleotide comprising the nucleotide sequence of an insert contained in a clone deposited as clone number M00001624A:B06 of ATCC Deposit Number 207038.
43. (New) An isolated polynucleotide according to claim 23, wherein said polynucleotide is expressed at a higher level in cancer cells than in non-cancer cells of the same tissue origin.
44. (New) The isolated polynucleotide according to claim 43, wherein said cancer cells are colon cancer cells.
45. (New) The isolated polynucleotide according to claim 43, wherein said cancer cells are breast cancer cells.
46. (New) A nucleic acid probe consisting essentially of at least 15 contiguous nucleotides of a sequence selected from the group consisting of: SEQ ID NO:68 and the complement of SEQ ID NO:68 .
47. (New) An isolated cDNA obtained by the method of amplifying a fragment of DNA using polynucleotide primers comprising at least 15 contiguous nucleotides of a nucleotide sequence selected from the group consisting of: SEQ ID NO:68 and the complement of SEQ ID NO:68.
48. (New) A method for identifying a polynucleotide homologous to the polynucleotide of claim 23, the method comprising the steps of:
  - contacting a polynucleotide probe with a test polynucleotide, the probe comprising at least 15 contiguous nucleotides of the polynucleotide of claim 23; and
  - detecting hybridization of the probe with the test polynucleotide;
  - wherein detection of hybridization of the probe to the test polynucleotide indicates that

the test polynucleotide shares sequence homology with the polynucleotide of claim 23.

49. (New) A polynucleotide identified by the method of claim 48.
50. (New) A method for producing a polypeptide, the method comprising the steps of:  
culturing a recombinant host cell containing the polynucleotide of claim 23 under  
conditions suitable for the expression of an encoded polypeptide; and  
recovering the polypeptide from the host cell culture.
51. (New) A method for producing a polypeptide, the method comprising the steps of:  
culturing a recombinant host cell containing the polynucleotide of claim 44 under  
conditions suitable for the expression of an encoded polypeptide; and  
recovering the polypeptide from the host cell culture.

**REMARKS UNDER 37 CFR § 1.115**

**Formal Matters**

Claims 23-51 are pending after entry of the amendments set forth herein.

Claims 1-22 are canceled.

Support for new Claims 23-51 can be found throughout the specification and in originally filed Claims 1-22. Specific support for Claims 48 and 49 can be found on pages 10-13. Specific support for Claims 50 and 51 can be found on pages 14-16. The amendment introduces no new matter and the entry of the new claims is respectfully requested.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached is captioned "**VERSION WITH MARKINGS TO SHOW CHANGES MADE.**"

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number 2300-1480CON.

Date: Feb 15, 2002

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Specification**

On page 1:

This application is a continuation of U.S. utility patent application serial no. 09/217,471, filed December 21, 1998 which application claims the benefit of: ~~This application is a continuation-in-part of U.S. provisional patent application serial no. 60/068,755, filed December 23, 1997;~~ ~~and of U.S. provisional patent application serial no. 60/080,664, filed April 3, 1998;~~ ~~and of U.S. provisional patent application serial no. 60/105,234, filed October 21, 1998;~~ each of which applications are incorporated herein by reference.

**In the Claims**

Please cancel claims 1-22.

Please add new claims 23-51.